



FitzGerald Morris
Baker Firth
Attorneys & Counselors

Asish A. Nelluvely
Associate Attorney
aan@fmbf-law.com

August 30, 2018

Via ECF Only

Magistrate Judge Daniel J. Stewart
United States District Court
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207

Re: Cinthia Thevenin v. City of Troy, et al.
Index No.: 1:16-cv-1115(DJS)
Our File No.: 11166-0001

Dear Judge Stewart:

I am writing to request a 90-day extension of the fact discovery deadline in the above-referenced matter in order to allow parties to conduct further depositions and paper discovery. I have consulted with Mr. Torczyner and he has advised that Plaintiff will not be taking a position on our request for an extension of time.

Pursuant to the Court's directive during the telephone conference of July 26, 2018, Defendants served a subpoena to produce documents upon the New York State Office of the Attorney General. On August 27, 2018, Assistant Attorney General Adrienne Kerwin produced a thumb drive containing documents, photos, video, and audio recordings. Based on that production, Defendants anticipate conducting additional depositions, including that of Assistant Attorney General Jennifer Sommers.

We are also seeking a status conference with the Court. Mr. Torczyner joins in our request. Parties are available for a telephone conference on the following dates: September 4, 5, 6, 7, and 14.

We appreciate the Court's indulgence in this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Anelluvely', is written over the typed name.

Asish A. Nelluvely

cc: Michael A. Rose, Esq., Hach & Rose LLP
Neil S. Torczyner, Esq., Harfenist Kraut & Perlstein LLP